



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

John PAFFORD et al.

Serial No. 10/781,058

Filed February 18, 2004

BONE GRAFTS

)
) Before the Examiner
) Not yet known
)
) Group Art Unit
) 3738
)
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)

INFORMATION DISCLOSURE STATEMENT

CORRECTED

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

corrected because of failure to include
publication dates in some instances
/DW/ 2-26-2011

Sir:

Pursuant to the duty of disclosure in accordance with 37 CFR §1.56, Applicant wishes to bring to the attention of the Examiner the patents, publications and/or other information listed on the attached PTO Form 1449 (modified). All the references listed on the attached Form were cited in the priority US application (USSN 10/114,675). Consequently, copies of these references have not been included with this Statement. Should the Examiner desire copies of the references, the undersigned attorney will gladly forward them.

The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56(b).

This Statement is being submitted more than three (3) months after the filing date of the application but before receipt of the first Office Action. It is believed that no fee is required for consideration of the submitted items. Should any fee be required, however, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as **first class mail** in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

(Date of Deposit)
James B. Myers

Name of Registered Representative

James B. Myers

Signature

Date of Signature
July 20 2004

Respectfully submitted,

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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10781,058
				Filing Date	February 18, 2004
				First Named Inventor	John PAFFORD
				Group Art Unit	3738
				Examiner Name	
Sheet	1	of	3	Attorney Docket No.	4002-3483

U.S. PATENT DOCUMENTS[LI]

Examiner Initials*	Cite No.	Document Number Number-Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
/D.W./		2,677,369	03/1952	Knowles	
		3,848,601	11/1974	Ma et al.	
		3,918,100	11/1975	Shaw et al.	
		4,330,891	05/1982	Branemark et al.	
		4,349,921	09/1982	Kuntz	
		4,394,370	07/1983	Jefferies	
		4,440,750	04/1984	Glowacki et al.	
		4,501,269	02/1985	Bagby	
		4,526,909	07/1985	Urist	
		4,596,574	06/1986	Urist	
		4,620,327	11/1986	Caplan et al.	
		4,714,469	12/1987	Kenna	
		4,743,256	05/1988	Brantigan	
		4,759,766	07/1988	Buettner-Janz et al.	
		4,834,757	05/1989	Brantigan	
		4,877,020	10/1989	Vich	
		4,878,915	11/1989	Brantigan	
		4,904,261	02/1990	Dove et al.	
/D.W./		4,917,704	04/1990	Frey et al.	
		4,950,296	03/1990	McIntyre	
/D.W./		4,950,296	03/1990	McIntyre	
		4,961,740	10/1990	Ray et al.	
		5,013,649	05/1991	Wang et al.	
		5,015,247	05/1991	Michelson	
		5,071,437	12/1991	Steffee	
		5,133,755	07/1992	Brekke	
		5,147,402	09/1992	Bohler	
		5,192,327	03/1993	Brantigan	
		5,207,710	05/1993	Chu	
/D.W./		5,258,029	11/1993	Chu et al.	

duplicate

Examiner Signature	/David Willse/	Date Considered	02/26/2011
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				Group Art Unit	3738
				Examiner Name	
Sheet	2	of	3	Attorney Docket No.	4002-3483

U.S. PATENT DOCUMENTS[L1]					
Examiner Initials*	Cite No.	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
/D.W./		5,306,307	04/1994	Senter et al.	
		5,306,309	04/1994	Wagner et al.	
		5,306,310	04/1994	Siebels	
		5,344,654	09/1994	Rueger et al.	
		5,348,026	09/1994	Davidson	
		5,366,508	11/1994	Brekke	
		5,397,364	03/1995	Kozak et al.	
		5,405,391	04/1995	Henderson et al.	
		5,425,772	06/1995	Brantigan	
		5,443,514	08/1995	Steffee	
		5,458,638	10/1995	Kuslich et al.	
		5,514,180	05/1996	Heggenes et al.	
		5,522,899	06/1996	Michelson	
		5,609,635	03/1997	Michelson	
		5,645,591	07/1997	Kuberasampath et al.	
		5,683,464	11/1997	Wagner	
		5,814,084	9/29/98	Grivas et al.	
		5,865,845	02/1999	Thalgott	
		5,989,289	11/1999	Coates et al.	
		6,039,762	03/2000	McKay	
		6,096,081	08/2000	Grivas et al.	
/D.W./		6,111,164	08/2000	Rainey et al.	

FOREIGN PATENT DOCUMENTS[L2]					
Examiner Initials*	Cite No.	Foreign Patent Document Country Code ² -Number ² -Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/D.W./		EP0077159	04/1983		
		WO 86/00526	01/1986		
		EP0179696	04/1986		
		EP0307241	03/1989		
/D.W./		WO 90/00037	01/1990		

Examiner Signature	/David Willse/	Date Considered	02/26/2011
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Sheet	3	of	3
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FOREIGN PATENT DOCUMENTS[L2]						
Examiner Initials*	Cite No.†	Foreign Patent Document Country Code* Number* Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	1*
/D.W./		EP0599419	06/1994			
		WO 94/25892	11/1994			
		WO 94/25893	11/1994			
		WO 94/26893	11/1994			
		XES 1030080	02/1995			
		WO 96/40013	12/1996			
		WO 97/13378	04/1997			
		WO 97/14378	04/1997			
		WO 97/15248	05/1997			
/D.W./		WO 97/25945	07/1997			

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS[L3]						
Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s) publisher city and/or country where published				1*
/D.W./		*Albee, F. H., M.D., "Bone Graft Surgery" Bone Graft Surgery in Disease, Injury and Deformity, 1940, pp. 20-22.				
		*EndoDowel, Musculoskeletal Transplant Foundation				
		*Lane, J. M., M.D., Boden, C.D., M.D. "The Potential of Recombinant Human Bone Morphogenetic Protein-2 In Orthopedics: A compendium of Scientific Studies and Reviews", pp. 3, 24, 37, and 49.				
		*Musculoskeletal Transplant Foundation: "Quality Must be First Priority", pp. 1-10				
		*Simmons, J. W., "Bone Banking" Spine Surgery: An Anthology, Chapter 40, pp. 460-470.				
		*Unilab Surgibone® (TUV Product Service), Unilab Inc.				
/D.W./		*Vich, J. M., M.D., "Anterior Cervical Interbody Fusion with Threaded Cylindrical Bone", J. Neurosurg 63:750-753 1985.				
/D.W./		*Vich, J. M., M.D., "Update on the Cloward Procedure: New Instruments", J. Neurosurg, Vol. 81, November 1994.				

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